

Appl. No. : **10/700,971**
Filed : **November 4, 2003**

REMARKS

Claims 1-109 were pending. Claim 2 has been amended for consistency. Support for claim 2 as amended can be found throughout the specification and at claim 2 as originally filed. Thus, the amendment adds no new matter. Claims 104-109 are hereby canceled, without prejudice or disclaimer, in response to the present Restriction Requirement.

The Examiner required restriction under 35 U.S.C. § 121 to one of the following allegedly distinct inventions:

- I. Claims 1-103, drawn to an oligomeric compound comprising at least one conjugate moiety, classified in class 536, subclass 24.5.
- II. Claims 104-109, drawn to a method of inhibiting expression of a target gene via an oligomeric compound comprising at least one conjugate moiety, classified in class 514, subclass 44.

Office Action at page 2. Without acquiescing to the Examiner's assertion that the groups are patentably distinct, Applicants select group I.

The Examiner also required species elections. See Action at page 3. The Examiner required election of conjugates attached at either a terminal position or an internal position. See *id.* Without acquiescing to the Examiner's assertion that species election is necessary, Applicants elect conjugates attached at a terminal position, as recited in claim 15. The Examiner required election of conjugation at a base or at a subunit linkage. See *id.* Without acquiescing to the Examiner's assertion that species election is necessary, Applicants elect conjugates attached to a monomeric subunit, as recited in claim 54. The Examiner required election of one conjugate, noting, though, that Applicant may elect generic, sub-generic conjugates. See *id.* Without acquiescing to the Examiner's assertion that species election is necessary, Applicants elect a conjugate moiety that is a steroid, more specifically cholesterol or a cholesterol derivative, or more specifically cholesterol, as recited in claims 23 and 24. Applicants acknowledge that the Examiner considers claims 1, 38, and 70 to be generic.

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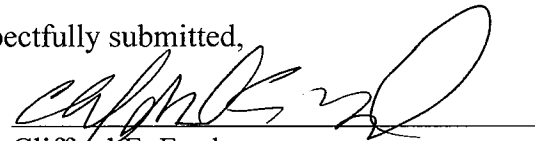
Applicants submit that this response is complete and complies with the requirements of 35 U.S.C. §121. Should the Examiner have any questions with respect to this document or the application in general, the Examiner is invited to contact Applicants' undersigned representative.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 50-0252.

Respectfully submitted,

Dated: July 11, 2007

By:



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